

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

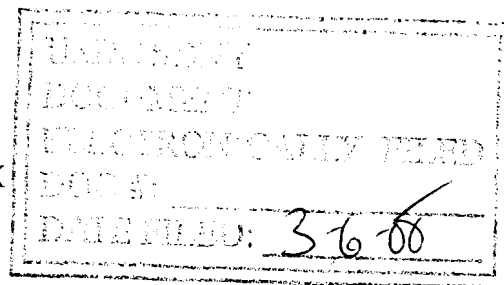
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GMA ACCESSORIES, INC.,

Plaintiff,

-against-

EMINENT, INC., et al.,

Defendants.
-----X



07 Civ. 3219 (LTS) (DF)

AMENDED ORDER

DEBRA FREEMAN, United States Magistrate Judge:

The Court having received and reviewed correspondence from Plaintiff and non-party Charlotte B, LLC ("Charlotte B") concerning certain outstanding discovery disputes in this action; and the Court having held a telephone conference on February 7, 2008, with counsel for all parties and counsel for Charlotte B for the purpose of addressing such discovery disputes; and the Court having held a further telephone conference on February 21, 2008, with counsel for all parties and counsel for non-party Karen Ericson, for the purpose of following up on the earlier-addressed discovery disputes, and also to address a subpoena served by Plaintiff upon Ms. Ericson; and the Court having made certain rulings during the course of those telephone conferences; and the parties having requested that the Court's final rulings be memorialized by written Order; it is hereby Ordered as follows, in accordance with the Court's prior rulings:

1. No later than March 7, 2008, counsel for Charlotte B is directed to produce a representative of Charlotte B for a deposition to be conducted by Plaintiff, pursuant to Plaintiff's December 13, 2007 subpoena of Charlotte B.

2. Consistent with Rule 26(b)(1) of the Federal Rules of Civil Procedure, the scope of Charlotte B's deposition shall be limited to matters relevant to any pending claim or defense asserted by any party currently named in this case.

3. Charlotte B is directed to respond to the document request contained in Plaintiff's December 13, 2007 subpoena by producing and/or making available for inspection, no later than February 29, 2008, all sales and purchase orders and invoices concerning CHARLOTTE or any mark similar thereto, including CHARLOTTE SOLNICKI, to the extent such documents relate to sales to or orders placed by the retailers named as parties in this case.

4. Plaintiff's application to compel Charlotte B to produce documents responsive to the subpoena is otherwise denied.

5. So as to avoid potentially unnecessary discovery, Plaintiff may, at its option, schedule the noticed depositions of the retailer defendants on dates subsequent to the deposition of Charlotte B, provided that all depositions are completed within the period set by the Court for the completion of fact discovery.

6. Pursuant to Plaintiff's subpoena of Karen Ericson dated November 29, 2007, counsel for Ms. Ericson is directed to produce this witness for a deposition to be conducted by Plaintiff, on a date agreed upon by counsel.

7. The deadline to complete all fact discovery is extended to March 31, 2008. All other deadlines in the case shall remain as previously set by the Court.

Dated: New York, New York
March 6, 2008

SO ORDERED


DEBRA FREEMAN
United States Magistrate Judge

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